

**UNITED STATES DISTRICT COURT  
DISTRICT OF NEW JERSEY**

**CREIGHTON TAKATA**, individually and  
on behalf of all others similarly situated,

Plaintiff,

v.

**RIOT BLOCKCHAIN, INC. F/K/A  
BIOPTIX, INC., JOHN O'ROURKE,  
JEFFREY G. MCGONEGAL, BARRY  
HONIG, CATHERINE DEFRANCESCO,  
MICHAEL BEEGHLEY, JOHN  
STETSON, MARK GROUSSMAN,  
ANDREW KAPLAN, MIKE DAI, JASON  
LES, and ERIC SO,**

Defendants.

Civil Action No. 18-02293 (ZNQ) (TJB)

**ORDER**

**QURAISHI, District Judge**

**THIS MATTER** having been opened to the Court on the Motions (ECF Nos. 192, 193, 194, 195, 196, 197) of Defendants, by and through their respective counsels, seeking an order pursuant Fed. R. Civ. P. 12(b)(6) to dismiss all claims asserted in the Second Amended Complaint (ECF. No. 188); after having reviewed the parties' submissions; and for the reasons set forth in the accompanying opinion and for good cause shown,

**IT IS**, on this **8th** day of **April 2022**,

**ORDERED** that Defendants' Motions (ECF Nos. 192, 193, 194, 195, 196, 197) are hereby **GRANTED**; it is further

**ORDERED** that the Complaint is dismissed without prejudice; and it is further

**ORDERED** that Plaintiff may file a separate motion seeking leave to amend his Complaint in a manner consistent with this Opinion.

s/ Zahid N. Quraishi  
**ZAHID N. QURAISHI**  
**UNITED STATES DISTRICT JUDGE**